

for cease and desist orders. Senator Lindsay will describe for you the terms of the bill. The one committee amendment that we made, and we made it to several bills in a row here, is to acknowledge that costs, which are received from somebody who's being investigated, or pays the actual expenses of one of the examinations or functions done by the department, the costs can go into the Cash Fund of the department. But in Nebraska penalties are strictly the constitutional province of the Permanent School Fund. If you get a parking ticket, once they take out the money for the administration, parking tickets go to the Permanent School Fund. If you are fined in a court of law, those fines go to the Permanent School Fund, the reason being there's a provision in the State Constitution that says all fines and penalties will revert to the state Permanent School Fund. It's the reason that we do not have punitive damages in this state, because our Supreme Court has interpreted punitive damages as a form of penalty. In this case, John's bill this year allows the department to create fines and induce fines from wrong-doers. Under the bill originally those funds would have gone to the department's Cash Fund. In fact, constitutionally they have to go to the School Permanent Fund, that's what this amendment does. I would urge its adoption.

PRESIDENT MOUL: Thank you, Senator Landis. Does anyone wish to speak to the committee amendments? Seeing none, we will now vote on the motion to adopt committee amendments. All those in favor please vote aye, opposed nay. Have you all voted on the committee amendments? Have you all voted? Please record, Mr. Clerk.

CLERK: 25 ayes, 0 nays, Madam President, on the adoption of committee amendments.

PRESIDENT MOUL: The committee amendments are adopted. Senator Lindsay, for opening on the bill.

SENATOR LINDSAY: Thank you, Madam President and members. LB 111 was brought to me by the Banking Department, seeking to clarify and clear up some problems that had surfaced over the past four years since we passed, since this Legislature passed the Consumer Rental Purchase Agreement Act. The act is designed to...originally was designed to regulate rent-to-own type of companies. A place where you might...somebody who can't afford to buy a couch, or buy a TV or whatever, doesn't have the credit history to be able to purchase that on credit, those type, those